

Hotel Licensing Law Frequently Asked Questions

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I. Hotel Licensing Overview

1. What is Local Law 104 of 2024?

Under [Local Law 104 of 2024](#), hotel operators must have a license from the Department of Consumer and Worker Protection (DCWP) to operate a hotel in New York City. This law took effect May 3, 2025.

“Hotel” means a building, as defined in section 12-10 of the New York City zoning resolution, or part of a building, which is legally authorized to have guests occupy rooms.

2. Who must have a Hotel license?

You must have a Hotel license if your business operates, owns, leases, or manages a hotel in New York City and controls its day-to-day operations, including employment of the people who work at the hotel, by virtue of your ownership, management agreement, lease, or other legal construct.

Important: You must have legal authorization to operate a hotel at the premises. This includes a determination by the NYC Department of Buildings that guests can occupy rooms and the building’s compliance with all other applicable local, state, or federal laws and regulations governing hotels. Even if you obtain a DCWP Hotel license, you can’t operate as a hotel unless you meet these additional legal requirements.

3. What name will appear on the Hotel license?

The license will show the name of the hotel operator.

The hotel operator may be the hotel owner if the owner also operates the hotel.

4. How do I apply for a Hotel license?

Visit nyc.gov/BusinessToolbox. Click Apply, then Hotel for instructions to submit your license application online. The fee for the full two-year license period is \$350. The license expires September 30 in even-numbered years.

Note: Enter the hotel address as the “Address Where You Operate Your Business” on the Basic License Application.

About three months before your license expires, DCWP will mail you a renewal reminder. DCWP recommends that you submit your renewal application with sufficient time before the license expiration date.

5. How should I report ownership information for a Limited Liability Company (LLC)?

You should disclose on your license application any members with an ownership interest of 10% or more in the LLC.

6. My business has a complex corporate structure. How should I report ownership information on the license application?

You must disclose on your license application any direct owners of 10% or more of the corporate stock. If your business has additional levels of ownership, such as a parent company or additional holding companies, you may upload an organization chart to the online application record.

7. Do I need a separate license for each hotel I operate, even if they have the same name?

Yes. You must have a separate license for each hotel you operate at a different premises address.

8. Where should I display my Hotel license?

You must conspicuously display your DCWP Hotel license in a publicly visible area of the hotel. (See NYC Code section 20-565.3)

Failure to comply can result in a violation.

9. How can I demonstrate that my hotel will comply with the law?

If there is a Collective Bargaining Agreement (CBA) between the hotel and the employees of the hotel that expressly incorporates the requirements of NYC Code Title 20, Chapter 2, Subchapter 38:

- You may establish your compliance by submitting a copy of the signed CBA to DCWP. If the agreement meets the requirements of the law, DCWP will not require you to submit additional materials to establish compliance.

OR

- You may establish your compliance by completing the Self-Certification in the Hotel License Application Supplement.

Note:

- If the CBA submitted to DCWP satisfies the law, you do not have to submit it again at the time of license renewal for 10 years or until the agreement expires, whichever is longer.
- If the CBA submitted to DCWP is modified to remove any provisions demonstrating compliance with the law during the license period, you must notify DCWP within 10 days of the change by emailing BCC@dcwp.nyc.gov.

10. What's required if a new hotel operator takes over?

If the hotel operator changes, the *new* hotel operator must:

- notify* DCWP about the change in hotel operation no later than 10 days after the change and before the *old* hotel operator's Hotel license expires; and
- submit required documents and information, including a completed Basic License Application, Hotel License Application Supplement, and any other requested documents and information, including proof of an agreement to operate the hotel.

The new hotel operator may demonstrate compliance with the law by submitting a copy of a signed CBA that expressly incorporates the requirements of NYC Code Title 20, Chapter 2, Subchapter 38. If the agreement meets the requirements of the law, DCWP will not require the new hotel operator to submit additional materials to establish compliance.

OR

The new hotel operator may establish compliance by completing the Self-Certification in the Hotel License Application Supplement.

*If the new hotel operator fails to provide notice, the Hotel license is void.

See 6 RCNY section 2-483.

11. Does a licensed hotel operator need to notify DCWP if it plans to undergo a change in corporate ownership or partnership?

Yes. A hotel operator holding a Hotel license must seek prior approval from DCWP before a change in corporate ownership or partnership in accordance with NYC Code sections 20-110 and 20-111. Email notification to ownershipchange@dcwp.nyc.gov.

12. What's required if the hotel is sold to a new owner?

If the hotel owner changes, you must notify DCWP and provide updated contact information for the new owner. Email notification to ownershipchange@dcwp.nyc.gov.

Note: If the new hotel owner is also the new hotel operator, see Question 10 regarding additional requirements.

13. Do I need a Hotel license if I operate my hotel as a nonprofit?

Yes. All hotels as defined in section 12-10 of the New York City Zoning Resolution must have a DCWP license, regardless of their tax-exempt status.

II. Cleanliness and Safety Requirements

1. What are the law's hotel cleanliness requirements?

You must maintain the cleanliness of guest rooms, sanitary facilities, and hotel common areas. Specifically, you must:

- Provide every guest room with clean towels, sheets, and pillowcases before occupancy by a new guest.
- Replace towels, sheets, and pillowcases upon guest request.
- Clean occupied guest rooms and remove trash daily unless a guest affirmatively declines these services.
 - *Note:* You may not charge or collect a fee for daily room cleaning or offer a discount or incentive for guests to decline daily room cleaning.

See NYC Code section 20-565.4(c).

2. What are the law's hotel safety requirements?

You must maintain safe conditions for guests and hotel workers. Specifically, you must:

- Schedule at least one employee to provide continuous front desk coverage. That employee must be able to confirm the identity of guests checking in to the hotel.
 - *Exception:* During an overnight shift, you may schedule a security guard who is able to assist guests and has undergone human trafficking recognition training instead of front desk staff.
- If you operate a large hotel with more than 400 guest rooms, you must schedule at least one security guard to provide continuous coverage while any guest room is occupied.

See NYC Code sections 20-565.4(a), (b).

III. Employment Requirements and Protections

1. Who must a Hotel licensee directly employ?

If you own a hotel with 100 or more guest rooms, you must directly employ all core employees. A “core employee” is any employee whose job is related to housekeeping, front desk, or front service at a hotel.

See NYC Code section 20-565.5.

Core employees include:

- room attendants;
- house persons;
- bell or door staff.

Core employees do *not* include:

- laundry and valet employees;
- concierge, reservation agents, and telephone operators;
- engineering and maintenance employees;
- specialty cleaning employees, including marble polishers, crystal lighting cleaners, aquarium cleaners, night cleaners, and exterior window washing;
- parking employees;
- security employees;
- lifeguards;
- spa, gym, and health club employees;
- minibar employees;
- audiovisual employees; and

- cooks, stewards, bartenders, servers, bussers, barbacks, room service attendants, or other employees who primarily work in the food or beverage service operations of the hotel regardless of whether employees are directly employed by the hotel operator or by another person.

You may not contract for core employees with any third parties, including staffing agencies or other contractors or subcontractors.

Exception:

- If you own a hotel with 100 or more guest rooms, you may retain a single hotel operator that directly hires all core employees and manages all hotel operations involving core employees on your behalf.
- The direct contracting provision does not apply to certain agreements between the hotel owner or operator and contractors, depending on when the agreements were executed and when they terminate.
 - If there is an enforceable agreement between a hotel operator or a hotel owner and a contractor that was executed prior to May 3, 2025 and terminates on a date certain, the direct contracting provision will take effect 30 days after the date that the agreement terminates.
 - If there is an enforceable agreement between a hotel operator or a hotel owner and a contractor that was executed prior to May 3, 2025 and *does not* terminate on a date certain, the direct contracting provision will take effect on December 1, 2026.

2. What are the law's additional hotel employee protections?

You must provide panic buttons to core employees, at no cost to employees, whose duties involve entering occupied guest rooms. (See NYC Code section 20-565.6.)

You must not punish *any* employee for:

- Reporting a suspected violation of Hotel license requirements.
- Reporting a danger to public health or safety.
- Refusing to perform work that may put the employee in danger and that is not normally part of the employee's job.

Such punishment may be considered retaliation under NYC Code section 20-565.7.

IV. Bookings Less Than 4 Hours and Human Trafficking

1. How does the law address human trafficking at New York City hotels?

As a hotel operator, you may not permit your hotel to be used for human trafficking. (See NYC Code section 20-565.4(e).) This includes sex trafficking, child sex trafficking, or labor trafficking, as defined in the penal law. (See NYC Code section 20-565.4(e).)

Additionally, you must provide human trafficking recognition training in accordance with New York General Business Law section 205 to core employees. You must train new core employees within 60 days of employment. (See NYC Code section 20-565.5(b).)

For more information about required human trafficking training for hotels (lodging facilities), visit the New York State Office of Temporary and Disability Assistance otda.ny.gov and search “Human Trafficking Training.”

2. Can I permit reservations of less than four hours at my hotel?

Unless you operate an airport hotel, you may not accept guest room reservations lasting less than four hours.

An “airport hotel” is a hotel within one mile of either LaGuardia Airport or John F. Kennedy International Airport. (See NYC Code section 20-565.4(d).)

V. Recordkeeping

1. What records must I maintain at my hotel?

You must maintain the following records in an electronic format for at least three years:

- Any agreement between a hotel operator and an owner of a hotel in New York City regarding the day-to-day operations of the hotel, including employment of the people who work at the hotel.
- Records demonstrating compliance with NYC Code section 20-565.4, which may include work schedules, employee attendance records, room status reports, daily room assignment reports, room attendant work schedules and attendance records, and logs of room cleaning schedule and statuses.
- Records demonstrating compliance with NYC Code section 20-565.5, which may include documents showing direct employment of core employees (for example, payroll records), human trafficking recognition training materials, and proof of employee completion of training.

- Records demonstrating compliance with NYC Code section 20-565.6, which may include invoices, receipts, or other proof of purchase, upkeep, and distribution of panic buttons.
- Records demonstrating compliance with NYC Code section 20-851, which may include notices about hotel service disruptions and proof notices were sent to guests and third-party vendors.

You must make these records available to DCWP electronically upon request.

VI. Hotel Service Disruptions

1. What are my obligations if there is a service disruption or condition at my hotel that impacts the guests?

Within 24 hours of a known service disruption, you must notify guests and anyone with reservations. The notice must say:

- what the disruption is;
- how long the disruption will last.

Hotel service disruptions include any of the following conditions if they are substantially likely to affect any guest's use of a room or use of a hotel service:

- Construction
- Unavailable elevators, wheelchair lifts, ramps, or accessible bathrooms
- Strikes, protests, or picketing
- Bed bugs, lice, or other insects
- Rodents or other pests
- Out-of-order advertised amenities (pool, spa, shuttle service, internet access, or food or beverage service)
- Out-of-order advertised appliances or technology (in-room refrigerators, internet, or Wi-Fi)
- No water, gas, or electricity

You must not:

- charge a fee if guests cancel a reservation due to a service disruption; or
- keep any deposit for an unused portion of the canceled reservation.

See NYC Code section 20-851.

VII. Payment by Cash

1. Do I have to accept cash at my hotel?

Yes. You must accept cash from customers, except in the following circumstances:

- You may refuse bills above \$20.
- You may refuse cash payments for telephone, mail, or internet-based transactions, unless the transaction takes place in the hotel.
- You may accept prepaid cards from an on-site device* that converts cash into prepaid cards, but only if:
 - The device does not charge a fee for the prepaid card or require a minimum deposit above \$1.
 - Upon request, the device provides the consumer with a receipt stating the amount of cash the consumer deposited onto the prepaid card.
 - Cash deposits onto the prepaid card do not expire.
 - There is no limit on the number of transactions a consumer can complete with the prepaid card.

*You must clearly post a sign on or immediately next to the device when it is not working that states your hotel is required to accept cash payments and consumers may report violations by calling 311.

You can't charge a consumer who pays in cash more than a consumer who pays by credit card or other cashless transaction.

See NYC Code section 20-840.

VIII. Over-the-Counter Medication

1. What requirements apply to the sale of over-the-counter medication at my hotel?

If you sell over-the-counter medication at your hotel, you must ensure that it is not expired.

See NYC Code section 20-822(a).

IX. Violations of the Law

1. What happens if I violate one of the law's provisions?

If DCWP determines that you have violated the provisions of this law or applicable rules, you will receive a summons detailing the violations and relevant sections of law. You will have an opportunity to appear at the NYC Office of Administrative Trials and Hearings (OATH) and respond to the summons.

If the charges are sustained, you will be issued a civil penalty.

For more information about violations and penalties, see 6 RCNY section 6-88.

X. Consumer or Worker Complaints About Hotels

1. Where can I submit a complaint about a hotel violating the law?

You can submit a complaint:

- Online at nyc.gov/dcwp
- By phone: Call 311.

For hotel employees:

- If you are claiming retaliation under NYC Code section 20-565.7, you may elect to sue your employer in court.

For a low-cost or free consultation with an attorney, you can contact:

- New York City Bar Legal Referral Service
nycbar.org
917-634-3609 (English) or 212-626-7374 (Spanish)
- National Employment Lawyers Referral Service (NELARS)
NELARS@NELANY.com
212-819-9450